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Attorney Docket No. 37167-8042.US01



Applicant: Daniel *et al.*  
Serial No.: 10/668,433  
Filing Date: September 22, 2003  
For: BONE-TREATMENT INSTRUMENT AND  
METHOD  
Examiner: UNKNOWN  
Group Art Unit: 3739  
Confirmation No. 2354

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Transmitted herewith are the following:
  - ☒ A Notice of Change to Large Entity Status with Statement
  - ☒ A Check in the amount of **\$402.00** covering the fees due.
2. Entity Status
  - ☒ Large Entity Status (37 CFR §1.9 and 1.27) is proper for this case.
3. Conditional Petition for Extension of Time:  
An Extension of Time is requested to provide for timely filing if necessary for timely filing of this transmittal and enclosures.
4. Provisional Fee Authorization  
Please charge any underpayment in fees for timely filing of this transmittal and enclosures to Deposit Account No. 50-2207.

Respectfully submitted,  
Perkins Coie LLP

Jacqueline F. Mahoney  
Registration No. 48,390

Date: NOV. 15, 2005

**Correspondence Address:**

Customer No. 22918  
Phone: (650) 838-4410



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**Correction of Entity Status and Payment of Deficiency  
in Fees Under 37 CFR §1.28(c)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Statement of Facts in accord with 37 CFR §1.28(c)(1)**

1. Small Entity Status of this application was established in good faith at the time of payment of the filing fee on September 22, 2003. All fees paid to date for examination of the application have been paid at the small entity rate.

2. Subsequent to the filing date, Applicant's Representative became aware that the above-referenced application should properly have large entity status.

3. Thus, the entity status of the present application was established in good faith at the time of filing the application, yet should be large entity.

**PAYMENT OF FEES IN ACCORD WITH 37 CFR §1.28(c)(2)**

Enclosed herewith is a check in the amount of **\$402.00**, which covers the difference in fees paid.

11/21/2005 WABDELRI 00000116 502207 10668433

01 FC:1001	388.00 DA	402.00 OP
02 FC:1202	200.00 DA	
03 FC:1203	360.00 DA	

ITEMIZATION OF THE DEFICIENCY IN PAYMENT IN ACCORD WITH 37 CFR §1.28(c)(2)(i-ii)

Description of Fee	Date Fee was Submitted to USPTO	Small Entity Fee Paid	Deficiency in Fee
Filing Fee	September 22, 2003	\$375.00	\$375.00
Excess Claim Fees	September 22, 2003	\$27.00	\$27.00

Although no additional fees are believed to be required than those shown above, the Commissioner is hereby authorized to charge any deficiency in fees (or credit any overpayment) to Deposit Account 50-2207; a duplicate of this communication is provided.

Respectfully submitted,



Jacqueline F. Mahoney  
Registration No. 48,390

Date: Nov. 15, 2005

**Correspondence Address:**

Customer No. 22918

Ph: 650 838-4410